



**PATENT**

Docket No.: 16356.686 (DC-03130)

Customer No. 000027683

**INTRODUCTORY COMMENTS**

Minor changes have been made to the specification. Claims 5, 6, 19, 27 and 33 are amended and claims 1-40 remain in the application.



2124

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:  
Peppers, Cherita, et al.

Serial No.: 10/087,384

Filed: March 1, 2002

For: METHOD AND APPARATUS FOR AUTOMATED  
OPERATING SYSTEMS UPGRADE

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Group Art Unit: 2124

Examiner: Chaki, Kakali

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SEP 22 2003

Technology Center 2100

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Prior to examination, enclosed are the following regarding the above-identified patent application:

1. Preliminary Amendment;
2. Return postcard; and
3. Transmittal letter (in duplicate).

☐ Small entity status of this application has been established by a previously submitted verified statement under 37 C.F.R. §§ 1.9 and 1.27.

☒ No additional fee is required.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)		(Col. 3)	SMALL ENTITY		OR	OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA	RATE	ADDIT. FEE		RATE	ADDIT. FEE
TOTAL	40	minus	40	=	0	x 9	\$ _____	OR	x 18	\$ 0.00
INDEP	4	minus	4	=	0	x 42	\$ _____	OR	x 84	\$ 0.00
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ 140	\$ _____	OR	+ 280	\$ _____
						TOTAL	\$ _____	OR	TOTAL	\$ 0.00

\* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

☐ Please charge Deposit Account No. [08-1394 H&B] in the amount of \$ \_\_\_\_\_.

☐ A check in the amount of \$ \_\_\_\_\_ is attached.

☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. [08-1394 H&B, Order No. 16356.686 (DC-03130)].

- [ X] Any additional filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.  
[ ] Any patent application processing fees under 37 C.F.R. § 1.17.  
[ X] A copy of this sheet is enclosed.

Respectfully submitted,



James R. Bell

REGISTRATION NO. 26,528

Date: 9-15-03

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A-153919.1

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

on

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9/15/03  
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